

Docket No.: 3910.164

Serial NO.: 09/497,244

UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Russell Jarvors

Serial No.: 09/497,244

Examiner: Yves Dalencourt

Art Unit: 2157

Filed: February 3, 2000

For: TOY WITH REMOTELY CONTROLLED SECURITY ALARM

DECLARATION AS TO COMMERCIAL SUCCESS

Commissioner for Patents P.O. Box 1450 Alexandria, VA. 22313-1450

Sir:

In support of applicant's assertion that the present invention has achieved commercial success to overcome obviousness rejections, applicant respectfully submits this declaration.

The product described and claimed in the present application has been sold with a total number of units sold of 1,867,888.

LAW OPFICE OF R B KLAK

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The product described and claimed in the present application has been sold in such prominent store and store chains as: TARGET NORTHERN OPERATION CENTER; TOYS R US; WALMART; KMART; and MEIJER, INC. among others (see enclosed list).

I further declare that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements made jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date:

Michael G. Dwyer

Vice President and General Counsel,

Jakks Pacific, Inc.

1,857,888

From-FEDER KASZOVITZ 2

+2127524892

T-083 P.005/005 F-178

Units sold:

Stores sold to: BENNY'S INC.

SUKON'S

TARGET NORTHERN OPERATION CNTR TARGET NORTHERN OPERATION CNTR TARGET NORTHERN OPERATION CHTR TARGET NORTHERN OPERATION CNTR

TOYS R US TOYS RUS TOYS R US TOYS R US TOYS R US

COMATT TOYS, INC.

WAL-MART WEGMANS

REPLACEMENT PARTS

FUTURE CARD SHAN TOYS & GIFTS

SHAN TOYS & GIFTS LISS GLOBAL

LASH TAMARON DISTRIBUTORS

MOHEGAN SUN

TOYS 'R' US - INTERNET

KMART

YOUNG TOYS, INC.

YOUNG TOYS, INC.

JUST RACIN

UJ TRADING

KMART

KMART

KMART

MEIJER, INC.

MEIJER, INC.

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Please submit to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450

COMMISSIONER OF PATENTS & TRADEMARKS P.O. Box 1450 Alexandria VA 22313-1450

Re:

USA Application Patent 09/497,244;

Your Ref: _3910.164

Please note that the referenced patent application qualify as a <u>LARGE</u> entity.

Sincerely

Richard B. Klar Reg. No. 31,385

Law Office of Richard B. Klar 28 East Old Country Road Hicksville, NY 11801 (516)827-0100